



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

February 12, 2016

Michelle Sharpe-Kass
Product Registration Manager
BASF Corporation
26 Davis Drive
P.O. Box 13528
Research Triangle Park, NC 27709

Subject: PRIA Label Amendment – Add New Use on Indoor and Outdoor Ornamentals
Product Name: Xemium Fungicide Technical
EPA Registration Number: 7969-312
Application Date: October 13, 2014
Decision Number: 496478, 496479

Dear Ms. Sharpe- Kass:

The application referred to above, submitted under the Federal Insecticide, Fungicide and Rodenticide Act, as amended is acceptable under FIFRA sec 3 (c)(5). You must submit and/or cite all data required for registration/reregistration/registration review of your product when the Agency requires all registrants of similar products to submit such data.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. The next label printing of this product must use this labeling unless subsequent changes have been approved. You must submit one (1) copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

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Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Driss Benmhend by phone at (703) 308-9525, or via email at Benmhend.driss@epa.gov.

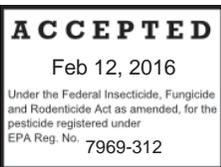


Shaja B. Joyner, Product Manager 20
Fungicide-Herbicide Branch
Registration Division 7505P

Enclosure



The Chemical Company



Xemium[®] fungicide technical

For Formulating Purposes Only

Active Ingredient:

Fluxapyroxad: 1H-Pyrazole-4-carboxamide, 3-(difluoromethyl)-1-methyl-N-(3',4',5'-trifluoro[1,1'-biphenyl]-2-yl)- 99.5%

Other Ingredients: 0.5%

Total: 100.0%

EPA Reg. No.: 7969-312

EPA Est. No.:

KEEP OUT OF REACH OF CHILDREN CAUTION/PRECAUCION

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail.)

Precautionary Statements

Hazards to Humans and Domestic Animals

CAUTION. Harmful if swallowed. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse. Wear long-sleeved shirt and long pants, socks, shoes and chemical-resistant gloves, e.g. barrier laminate, butyl rubber ≥ 14 mils, nitrile rubber ≥ 14 mils, neoprene rubber ≥ 14 mils, natural rubber ≥ 14 mils, poly-ethylene, polyvinyl chloride (PVC) ≥ 14 mils or viton ≥ 14 mils.

FIRST AID	
If on skin or clothing	<ul style="list-style-type: none"> Take off contaminated clothing. Rinse skin immediately with plenty of water for 15 to 20 minutes. Call a poison control center or doctor for treatment advice.
If swallowed	<ul style="list-style-type: none"> Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. DO NOT induce vomiting unless told to do so by a poison control center or doctor. DO NOT give anything to an unconscious person.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact BASF Corporation for emergency medical treatment information: 1-800-832-HELP (4357)	

Environmental Hazards

DO NOT discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. **DO NOT** discharge effluent containing this product into sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

Net Contents:

Directions For Use

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

Only for formulation into a fungicide for the following uses: 1) **Terrestrial foliar crop uses** on barley, berries and small fruits, Brassica leafy vegetables, bulb vegetables, corn (all types), cotton, cucurbit vegetables, dried shelled peas and beans, edible-podded legume vegetables, fruiting vegetables, grapes, leafy vegetables, oat, oilseed crops (including flax seed, rapeseed and sunflower), peanut, pome fruits, rice, root vegetables, rye, soybean, sorghum and millet, stonefruits, strawberries, succulent shelled peas and beans, sugar beet, sugarcane, tree nuts, tuberous and corm vegetables (including potato), wheat and triticale; **seed treatment use** on barley, Brassica vegetables, bulb vegetables, corn, cotton, cucurbit vegetables, dried shelled peas and beans, edible podded legume vegetables, leafy vegetables, oat, peanut, rapeseed, root and tuber vegetables, rye, sorghum, soybean, sunflower, wheat and triticale seed; **turfgrass use sites** including golf courses, residential, institutional, commercial, and municipal lawns, parks, recreational areas including sports and athletic fields, cemeteries, and sod farms that are approved by the EPA; and **ornamental use sites** including containers, greenhouses, lathhouses, and shadehouses, outdoor nurseries (including container, bench, flat, plug, bed-grown or field-grown ornamentals), forest and conifer nurseries, and plantations, retail nurseries, and ornamentals found in interiorscapes, golf courses, recreational landscapes, and residential and commercial landscapes; 2) uses for which U.S. EPA has accepted the required data or citations of data that the formulator has submitted in support of registration; and 3) uses for experimental purposes that are in compliance with U.S. EPA requirements. Consult BASF Corporation before using this product for formulating purposes. Each formulator is responsible for obtaining EPA registration for their end-use product(s). This product may be used to formulate products for any additional uses not listed on the technical label if the formulator, user group, or grower has complied with U.S. EPA data submission requirements regarding the support of such uses.

Storage and Disposal

DO NOT store container, water, food or feed by storage or disposal.

Pesticide Storage: Store in original container in a well-ventilated area separately from fertilizer, feed and foodstuffs. Avoid cross-contamination with other pesticides. Protect against moisture. Keep away from heat. Protect from direct sunlight. Spillage or leakage should be contained, carefully swept up, and collected for disposal.

Pesticide Disposal: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

Container Handling: (Supersack) Nonrefillable Container: DO NOT reuse or refill this container. Completely empty bag into application equipment; then dispose of empty bag in a sanitary landfill or by incineration, or by other procedures approved by state and local authorities.

In Case of Emergency

In case of large scale spillage in the U.S. regarding this product, call:

CHEMTREC 1-800-424-9300

BASF Corporation 1-800-832-HELP (4357)

In case of medical emergency regarding this product, call: 1) Your local doctor for immediate treatment. 2) Your local poison control center (hospital). 3) BASF Corporation 1-800-832-HELP. **Steps to be taken in case material is released or spilled:** Spillage or leakage should be contained, carefully swept up, and collected for disposal. Remove contaminated clothing and wash affected skin areas with water. Wash clothing before reuse. Keep spill out of all sewers and open bodies of water.

Conditions of Sale and Warranty

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.** BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF.

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